

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA, :
: :
PLAINTIFF, :
: :
v. : CIVIL ACTION NO. 2:05cv1086-W
: :
EIGHTY THOUSAND SIX HUNDRED :
THIRTY-THREE DOLLARS :
(\$80,633.00) IN UNITED STATES :
CURRENCY; :
FOUR THOUSAND EIGHT HUNDRED :
SEVENTY-EIGHT DOLLARS :
(\$4,878.00) IN UNITED STATES :
CURRENCY; AND, :
THIRTY-SIX THOUSAND FIVE :
HUNDRED DOLLARS (\$36,500.00) :
IN UNITED STATES CURRENCY, :
: :
DEFENDANTS. :

REPORT OF RULE 26(f) PLANNING MEETING

Comes now the United States of America (United States), by and through Leura G. Canary, United States Attorney, Middle District of Alabama, and John T. Harmon, Assistant United States Attorney, and states as follows:

1. Pursuant to Fed.R.Civ.P.26(f), a meeting was held by telephone between John T. Harmon (for the United States) and Joe M. Reed (for Claimants Michael Coleman and Jacquard Merritt).

2. Pre-Discovery Disclosures. The parties will exchange by April 17, 2006, the information required by Fed.R.Civ.P.26(a)(1).

3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

Discovery will be needed on the following subjects:

- a) Circumstances surrounding the alleged use and involvement of the Defendant property in violations of Title 21, United States Code, Sections 841 et seq.;
- _____
- b) The claims and defenses raised by the parties in their pleadings;
- c) All discovery commenced in time to be completed by August 11, 2006;
- d) Maximum of 35 interrogatories by each party to any other party;
- e) Maximum of 30 requests for production by each party to any other party;
- f) Maximum of 15 requests for admissions by each party to any other party;
- g) Maximum of six depositions for each party;
- h) Each deposition is limited to maximum of seven hours, unless extended by agreement of the parties;
- i) Reports from retained experts under Rule 26(a) (2) are due:
 - From Plaintiff by July 14, 2006;
 - From Claimant by August 11, 2006.
- j) Supplementation under Rule 26(e) is due within 21 days of discovery and no later than August 11, 2006.

4. Other Items.

The parties do not request a conference with the Court before entry of the Scheduling Order.

The parties request a pretrial conference on January 12, 2007.

The parties should be allowed until May 19, 2006, to join additional parties and to amend the pleadings.

All potentially dispositive motions should be filed by October 16, 2006.

Settlement cannot be evaluated prior to receipt of discovery and/or filing of dispositive motions and responses thereto.

Final lists of witnesses under Rule 26(a)(3) shall be due from the parties on December 12, 2006. Final lists of exhibits under Rule 26(a)(3) shall be due December 28, 2006.

Parties shall have until seven days before trial, or February 5, 2007, to file objections to the witnesses or exhibits under Rule 26(a)(3).

The case should be ready for trial by February 12, 2007, and at this time is expected to take approximately 2 days to try.

Respectfully submitted this 16th day of March, 2006.

FOR THE UNITED STATES ATTORNEY
LEURA G. CANARY

/s/John T. Harmon
John T. Harmon
Assistant United States Attorney
Office of the United States Attorney
Middle District of Alabama
One Court Square, Suite 201 (36104)
Post Office Box 197
Montgomery, Alabama 36101-0197
Telephone: (334) 223-7280
Facsimile: (334) 223-7560
E-mail: John.Harmon@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2006, I electronically filed the foregoing Report of Rule 26(f) Planning Meeting with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Joe M. Reed.**

/s/John T. Harmon
John T. Harmon
Assistant United States Attorney
Office of the United States Attorney
Middle District of Alabama
One Court Square, Suite 201 (36104)
Post Office Box 197
Montgomery, Alabama 36101-0197
Telephone: (334) 223-7280
Facsimile: (334) 223-7560
E-mail: John.Harmon@usdoj.gov
Bar Number: 7068-II58J